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SENSITIVE
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DEPARTMENT FOR AF/E DRIANO

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SUBJECT: REFORM CAUCUS LAUNCHED IN PARLIAMENT

REF: N/A

¶1. (SBU) SUMMARY: Following a luncheon with Assistant Secretary (A/S) Johnnie Carson and an American Chamber of Commerce-hosted breakfast attended by Ambassador Ranneberger, an initial 17 Members of Parliament have launched a "Reform Caucus." The Reform Caucus, which may be recognized as an official entity within Parliament under the new Standing Orders, will focus on fast-tracking the constitutional review process and pro-reform legislation within Parliament. END SUMMARY.

¶2. (SBU) During Secretary Clinton's visit to Nairobi in August, several reform MPs requested U.S. support for the formation of an "opposition" within Parliament. (Note: Since virtually all political parties are currently members of the coalition government, the traditional role of the opposition in Parliament has been largely abandoned. End note.) In response, A/S Carson pointed out that an opposition would slow down Parliament's glacial legislative process even further, and suggested that the MPs focus on the formation of a "reform caucus" instead.

¶3. (SBU) For the past three months, the Embassy has worked with a number of reform-minded MPs to continue the discussion on the formation of a reform caucus. We have worked with MPs to ensure that the caucus (1) bridges party and ethnic lines, (2) welcomes all MPs wishing to support the reform agenda, (3) does not advance any individual partisan interests, and (4) is focused on fast-tracking the constitutional review process and legislation which advances political and economic reforms (such as the Anti-Money Laundering bill).

¶4. (SBU) On October 26, A/S Carson and Ambassador Ranneberger hosted a lunch with five MPs (Boni Khalwale, New FORD-K, Western Province; Margaret Kamar, ODM, Rift Valley Province; Danson Mungatana, NARC-K, Coast Province; Olagu Aluoch, ODM, Nyanza Province; and Joyce Laboso, ODM, Rift Valley Province) to discuss progress on the reform agenda. Following a wide-ranging debate on the constitution, in which it was apparent that the government has not reached a consensus position on outstanding contentious issues, Carson urged the MPs to focus on building institutional capacity for reform while placing a time limit on the constitutional debate. Should the reform debate continue too long, Carson noted, the impending election in 2012 and the politics of presidential succession will make progress on constitutional review and the reform agenda nearly impossible.

¶5. (SBU) The morning of October 27, 17 MPs (including four who had joined the A/S Carson luncheon) gathered for a breakfast jointly hosted by the American Chamber of Commerce Kenya (ACCK) and the Embassy to discuss the importance of political and business reforms to ensure Kenya's stability and improve its investment climate. The Ambassador opened the breakfast by calling upon MPs to take the lead in pushing for reforms both publicly and within government. Private sector leaders then acknowledged that companies have been

overly focused on seeking reforms from the executive branch of government, but are now looking to Parliament to spearhead legislation such as the Anti-Money Laundering bill.

¶16. (SBU) MP Danson Mungatana responded to the Ambassador and ACK leaders by stating that Parliament should "seek first a new Constitution, and all else will be added to us as well," while noting the absence of a cross-party advocacy group dedicated to advancing reforms. MP Margaret Kamar followed Mungatana's comments by suggesting that the time has come to formally organize a reform caucus open to all MPs willing to advance the reform agenda. This suggestion was met with strong support by the gathered MPs. MP Boni Khalwale then moved that the MPs agree on a formal leadership structure for a "Reform Caucus." Huddled around a table for nearly an hour, the MPs elected a caucus whip (Mungatana), resolved to file for recognition from Speaker Kenneth Marende, and planned to meet again on November 17. (Comment: Recognition of the Reform Caucus as an official entity within Parliament is possible due to the new Parliamentary Standing Orders, developed with U.S. support. End Comment.) The MPs then called a press conference and announced the formation of the Reform Caucus and its first meeting with the U.S. business community, receiving coverage in both national newspapers.

¶17. (SBU) The formation of the Reform Caucus has generated significant interest within Parliament; approximately 30 MPs (of 222 total) have already joined or expressed interest in joining. The Caucus has succeeded in building connections across party and regional lines. For example, prior to its formation, Mungatana and Kamar were mutually suspicious of each other's reform credentials, but are now working together in the leadership of the Reform Caucus.

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¶18. (SBU) COMMENT. It remains to be seen whether the Parliamentary Reform Caucus will be effective or cohesive, but the founding MPs appear to be serious in their desire to establish a robust pro-reform bloc within Parliament. Such a caucus has historical precedent; in 1992 and again in 1997 the Inter-Parties Parliamentary Group functioned as a caucus in negotiating constitutional reforms with the Moi government, including term limits which eventually forced Moi to step down in 2002.

¶19. (SBU) COMMENT CONTINUED. We will be quietly supporting the Reform Caucus by providing capacity building and technical assistance, appropriately highlighting their work in public fora, and reaching out to reformist MPs to encourage them to join the caucus. We are also working to send a delegation of six to eight members of the caucus to Washington in mid-December to learn about how caucuses function in Congress and to formally recognize the MPs who are driving reforms forward in the Kenyan Parliament. END COMMENT.

RANNEBERGER